

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Aug 26, 2019

Eastern District of Washington

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Adam T. Layton

Case Number: 0980 2:14CR00006-TOR-1
0980 2:14CR00160-TOR-1

Address of Offender: Spokane, Washington 99207

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, Chief U.S. District Judge

Date of Original Sentence: March 18, 2015

Original Offense: Felon in Possession of a Firearm and Ammunition, 18 U.S.C. § 922(g)(1)
Felon in Possession of a Firearm and Ammunition, 18 U.S.C. §§ 922(g)(1) and
942(a)(2)

Original Sentence: (2:14CR00006-TOR-1) Type of Supervision: Supervised Release
Prison - 30 months;
TSR - 36 months

(2:14CR00160-TOR-1)
Prison: 24 months -
TSR: 36 months

Revocation Sentence: (2:14CR00006-TOR-1)
Prison - 22 months;
(09/14/2017) TSR - 14 months

(2:14CR00169-TOR-1)
Prison - 14 months;
TSR - 22 months

Asst. U.S. Attorney: Earl Allan Hicks

Date Supervision Commenced: May 10, 2019

Defense Attorney: Federal Defender's Office

Date Supervision Expires: March 9, 2021

PETITIONING THE COURT

To issue a WARRANT

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

1 **Mandatory Condition #1:** You must not commit another Federal, state, or local crime.

Supporting Evidence: Adam Layton was arrested on August 23, 2019, and placed in the Spokane County Jail for being a Felon in Possession of a Firearm and Ammunition, in violation of 18 U.S.C. 922(g)(1), a Class C Felony.

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On August 23, 2019, the U.S. Probation Office conducted a search of the vehicle Mr. Layton was driving, after receiving a signed consent to search form from the owner of the vehicle. Prior to commencing the search, Mr. Layton told the undersigned officer that we would find a loaded .40 caliber handgun in the vehicle on the front seat. U.S. Probation Officers, with the assistance of deputies from the U.S. Marshals Service, as well as an agent with the Bureau of Alcohol, Tobacco, and Firearms, located the .40 caliber Smith and Wesson handgun inside the vehicle in the location Mr. Layton stated it would be. The firearm and ammunition was located inside a bag on the front seat of the vehicle.

On May 15, 2019, Adam Layton signed his judgments for case numbers 2:14CRCR00006-TOR-1 and 2:14CR00160-TOR-1, indicating he understood all conditions ordered by the Court. Specifically, Mr. Layton was made aware by his U.S. probation officer that he must not commit another Federal, state, or local crime.

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Mandatory Condition #1: You must not commit another Federal, state, or local crime.

Supporting Evidence: Adam Layton was arrested on August 23, 2019, and placed in the Spokane County Jail for being in possession of controlled substances, methamphetamine, and heroin.

On August 23, 2019, the U.S. Probation Office conducted a search of Mr. Layton's apartment. Upon the undersigned officer's arrival to the apartment complex, Mr. Layton's girlfriend was seen taking a black briefcase and a brown box out to her vehicle. The undersigned informed her we were going to conduct a search of their apartment and asked her if there were any drugs or firearms in the residence. She stated there was not. The undersigned then asked her if she would give consent to search her vehicle, as she had just been observed removing two large items from the apartment to her vehicle. Ms. Torrez gave consent to search her vehicle and signed a consent to search form. The undersigned asked a deputy with the U.S. Marshals Service for assistance in the search of the vehicle. The undersigned removed the black briefcase and large wooden box from the driver's side floorboard, and a U.S. Marshal deputy used his firearm detection dog to search the vehicle. The dog indicated there may be a firearm in the black briefcase. The briefcase was opened and the undersigned discovered approximately 13 grams of methamphetamine and approximately 1-ounce of heroin.

The undersigned officer confronted Mr. Layton regarding the drugs that were located. Mr. Layton indicated, after the undersigned called him to tell him the undersigned would come to his apartment after he returned home, he called Ms. Torrez and directed her to remove the two items. Mr. Layton stated, the illegal substances were his and his girlfriend did not know what was located inside.

On May 15, 2019, Adam Layton signed his judgments for case numbers 2:14CRCR00006-TOR-1 and 2:14CR00160-TOR-1, indicating he understood all conditions ordered by the Court. Specifically, Mr. Layton was made aware by his U.S. probation officer that he must not illegally possess controlled substances.

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Mandatory Condition #2: You must not unlawfully possess a controlled substance, including marijuana, which remains illegal under federal law.

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Supporting Evidence: On August 23, 2019, Adam Layton violated conditions of his supervised release by illegally possessing methamphetamine and heroin.

On August 23, 2019, the U.S. Probation Office conducted a search of Mr. Layton's apartment. Upon arrival to the apartment complex, the undersigned officer saw Mr. Layton's girlfriend take a black briefcase and a brown box out to her vehicle. The undersigned informed her a search of their apartment was going to be conducted, and asked her if there were any drugs or firearms in the residence. She stated there was not. The undersigned then asked her if she would give consent to search her vehicle, as she had just been observed removing two large items from the apartment to her vehicle. Ms. Torrez gave consent to search her vehicle and signed a consent to search form. The undersigned asked a deputy with the U.S. Marshals Service for assistance in the search of the vehicle. The undersigned removed the black briefcase and large wooden box from the driver's side floorboard, and a U.S. Marshal deputy used his firearm detection dog to search the vehicle. The dog indicated there may be a firearm in the black briefcase. The briefcase was opened and the undersigned discovered approximately 13 grams of methamphetamine and approximately 1-ounce of heroin.

On May 15, 2019, Adam Layton signed his judgments for case numbers 2:14CRCR00006-TOR-1 and 2:14CR00160-TOR-1, indicating he understood all conditions ordered by the Court. Specifically, Mr. Layton was made aware by his U.S. probation officer that he must not illegally possess controlled substances.

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Standard Condition #10: You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).

Supporting Evidence: Adam Layton was arrested on August 23, 2019, and placed in the Spokane County Jail for being a Felon in Possession of a Firearm and Ammunition, in violation of 18 U.S.C. 922(g)(1), a Class C Felony.

On August 23, 2019, the U.S. Probation Office conducted a search of the vehicle Mr. Layton had been driving, after receiving a signed consent to search form from the owner of the vehicle. Prior to commencing the search, Mr. Layton told the undersigned officer a loaded .40 caliber handgun would be found in the vehicle on the front seat. Upon search of the vehicle a U.S. probation officer, with the assistance of deputies from the U.S. Marshals Service, as well as an agent with the Bureau of Alcohol, Tobacco, and Firearms located the .40 caliber Smith and Wesson handgun inside the vehicle, in the location Mr. Layton stated it would be. The firearm and ammunition was located inside a bag on the front seat of the vehicle.

On May 15, 2019, Adam Layton signed his judgments for case numbers 2:14CRCR00006-TOR-1 and 2:14CR00160-TOR-1, indicating he understood all conditions ordered by the Court. Specifically, Mr. Layton was made aware by his U.S. Probation officer that he must not commit another Federal, state, or local crime.

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Special Condition #4: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On August 23, 2018, Adam Layton violated conditions of his supervised release by consuming methamphetamine.

On August 23, 2019, Mr. Layton admitted to the undersigned officer that he had consumed methamphetamine prior to attending chemical dependency treatment that day.

On May 15, 2019, Adam Layton signed his judgments for case numbers 2:14CRCR00006-TOR-1 and 2:14CR00160-TOR-1, indicating he understood all conditions ordered by the Court. Specifically, Mr. Layton was made aware by his U.S. probation officer that he must not consume controlled substances.

The U.S. Probation Office respectfully recommends the Court issue a **WARRANT** requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 08/26/2019

s/Patrick J. Dennis

Patrick J. Dennis
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

August 26, 2019

Date